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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,621	11/28/2005	Manfred Griesinger	41288	4764
30448	7590	05/05/2006	EXAMINER	
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			CARTER, WILLIAM JOSEPH	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/532,621	Applicant(s) GRIESINGER ET AL.	
	Examiner William J. Carter	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the at least one of the individual optical elements being assigned a plurality of semiconductor light sources of claim 7 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to because "Figur" should be changed to "Figure" and the solid black in Figures 6 and 9 is not acceptable. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 2, 4, and 6 are objected to because of the following informalities:

In claims 2 and 4, "the optical element" lacks antecedent basis. The examiner has interpreted the optical element of claims 2 and 4 as the illumination device that is formed by an array of individual optical elements of claim 1.

In claim 6, line 4, "the cross section" lacks antecedent basis.

In claim 6, lines 4-5, it is believed that "the cross section of the light entry area of the individual optical elements have" should be changed to "a cross section of the light entry area of the individual optical elements has."

In claim 6, lines 7-8, "the normal" and "the base area" lack antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Parkyn (6,273,596).

With respect to claim 1, Parkyn teaches an illumination device (Fig. 9a), in particular for use in a motor vehicle (column 10, line 20), which is formed by an array of individual optical elements (880a and 880b) that are in each case assigned at least one semiconductor light source (884), in particular a light emitting diode (884), wherein the light entry opening (top of 884) of the optical elements have an elongate, essentially rectangular form (Fig. 9a), the optical elements have, perpendicular to the light entry area, a central region (880a) whose projection into a two-dimensional plane corresponds to a cylindrical two-dimensional Cartesian oval (Fig. 9a), and the central region is combined with a parabolic reflector (883).

As for claim 2, Parkyn teaches the outer areas A and B (883) of the reflector (883) are rotated in the direction of the central region (880a) of the optical element such that all beams (885 and 886) emerging from the optical element are substantially parallel (Fig. 9a).

As for claim 3, Parkyn teaches the outer areas A and B (883) of the reflector (883) are embodied such that they are totally reflective (column 14, lines 35 and Fig. 9a).

As for claim 4, Parkyn teaches the side areas E (940) of the optical element (Fig. 9) are inclined in such a way that the optical element tapers from the light exit area G (930) toward the light entry area F (960).

As for claim 5, Parkyn teaches the side areas (940 and 883) are formed, in particular by means of curvature (Figs. 9 and 9a), such that a large acceptance angle is produced in the beam direction (Fig. 9a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parkyn in view of Okuchi (5,772,306).

With respect to claim 6, Parkyn teaches all of the claimed elements, as disclosed above, except for a cross section of the light entry area of the individual optical elements has, in a departure from the rectangular form, a trapezoidal form whose side area are inclined by angles α and β with respect to the normal to the base area. Okuchi, also drawn to illumination devices in automobiles, teaches a cross section of the light entry area (33) of the individual optical elements (10) has, in a departure from the rectangular form, a trapezoidal form whose side area are inclined by angles α and β with respect to the normal to the base area (Fig. 4a). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the light entry area of Okuchi in the illumination device of Parkyn, in order to create a light distribution area with similar trapezoidal shape (Fig. 4b).

Claims 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parkyn in view of Jenkins et al. (6,099,156).

With respect to claims 7-13, Parkyn teaches all of the claimed elements, as disclosed above, as well as the use of the illumination device as a motor vehicle headlight for asymmetrical illumination of the surroundings in front of a motor vehicle (Figs. 6 and 7). Parkyn does not explicitly teach at least one of the individual optical elements is assigned a plurality of semiconductor light sources that can be switched individually, arranged such that they are displaceable with respect to one another, and it being possible for the semiconductor sources to be entirely or partly activated. Jenkins, drawn to automobile lighting with LED's, teaches an individual optical element is assigned a plurality of semiconductor light sources (28) that can be switched individually (column 4, line 67-column 5, line 2), arranged such that they are displaceable with respect to one another (Fig. 1), and it being possible for the semiconductor sources to be entirely or partly activated (column 4, line 67-column 5, line 2). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the LED configuration of Jenkins in the illumination device of Parkyn, in order to achieve a particular styling or appearance objective (column 5, lines 2-5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee S. Luebke can be reached on (571)272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

wjc
04/26/06



RENEE LUEBKE
PRIMARY EXAMINER